## IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF SOUTH CAROLINA COLUMBIA DIVISION

Dwight X. Jones, #237527,		
Plaintiff,	)	C.A. No.: 3:11-3347-RBH
,	)	
***	)	
VS.	)	ORDER
	)	
Charles E. McNair, Cayce Public Safety;	)	
James R. Metts, Lexington County	)	
Sheriff's Department;	)	
Defendants.	,	

Plaintiff, a state prisoner proceeding *pro se*, brings this civil action pursuant to 42 U.S.C. § 1983. This matter is before the court for review of the Report and Recommendation of United States Magistrate Judge Paige J. Gossett, made in accordance with 28 U.S.C. § 636(b)(1)(B) and Local Rule 73.02 for the District of South Carolina.

The Magistrate Judge makes only a recommendation to this court. The recommendation has no presumptive weight. The responsibility to make a final determination remains with this court. See Mathews v. Weber, 423 U.S. 261, 270-71 (1976). The court is charged with making a de novo determination of those portions of the Report and Recommendation to which specific objection is made, and the court may accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge or recommit the matter with instructions.

See 28 U.S.C. § 636(b)(1).

Neither party has filed objections to the Report and Recommendation.<sup>1</sup> In the absence of objections to the Report and Recommendation of the Magistrate Judge, this court is not required to give any explanation for adopting the recommendation. See Camby v. Davis, 718 F.2d 198, 199 (4th Cir. 1983). The Court reviews only for clear error in the absence of an objection. See Diamond v. Colonial Life & Accident Ins. Co., 416 F.3d 310 (4th Cir. 2005) stating that "in the absence of a timely filed objection, a district court need not conduct de novo review, but instead must 'only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation." (quoting Fed. R. Civ. P. 72 advisory committee's

After a thorough review of the record in this case, the Court finds no clear error. Accordingly, the Report and Recommendation of the Magistrate Judge is adopted and incorporated by reference. Therefore, it is

**ORDERED** that the Complaint in this matter is dismissed without prejudice and without service of process.

IT IS SO ORDERED.

s/R. Bryan Harwell R. Bryan Harwell United States District Judge

Florence, South Carolina January 20, 2012

note).

<sup>&</sup>lt;sup>1</sup> The court notes that Plaintiff has filed a letter since the Magistrate Judge issued her Report and Recommendation in this matter. However, upon review, nowhere in that letter does Plaintiff even appear to object to the Report and Recommendation. See Letter [Docket Entry 10]. Rather, Plaintiff simply attached several documents, including parts of his arrest record, to the letter, and then stated in the letter, "See the evidence[,] its in the papers." Id. at 1. Even if the court could construe some portion of this letter as objections, which it does not, the letter still fails to specify any errors in the Report and Recommendation or set forth any specific objections thereto.